

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,

Case No. 21-CR-0173(1) (PJS/DTS)

Plaintiff,

v.

ORDER

ANTON JOSEPH LAZZARO,

Defendant.

Defendant Anton Lazzaro is charged with conspiracy to commit sex trafficking of minors and other related offenses. This matter is before the Court on Lazzaro's objection to Magistrate Judge David T. Schultz's April 26, 2022 order declining to consider Lazzaro's pro se motions.

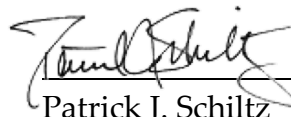
A magistrate judge's ruling on nondispositive matters may be reversed only if it is "clearly erroneous or contrary to law." 28 U.S.C. § 636(b)(1)(A); Fed. R. Crim. P. 59(a). Having reviewed Judge Schultz's order, the Court finds nothing clearly erroneous or contrary to law. Lazzaro is represented by multiple lawyers, and "[t]here is no constitutional or statutory right to simultaneously proceed pro se and with benefit of counsel." *United States v. Agofsky*, 20 F.3d 866, 872 (8th Cir. 1994). Moreover, even if

the standard of review were de novo, the Court would affirm, as it is not the undersigned's practice to entertain pro se motions from represented defendants.¹

ORDER

Based on the foregoing, and on all of the files, records, and proceedings herein, IT IS HEREBY ORDERED THAT defendant Anton Lazzaro's objection [ECF No. 195] is OVERRULED and Judge Schultz's April 26, 2022 order [ECF No. 194] is AFFIRMED.

Dated: April 29, 2022

A handwritten signature in black ink, appearing to read "Patrick J. Schiltz", written over a horizontal line.

Patrick J. Schiltz
United States District Judge

¹In his objection, Lazzaro states that he does not seek hybrid representation and seems to suggest that he only wants to submit pro se filings "during a transitional period of representation." ECF No. 195 at 3. It is unclear to the Court whether Lazzaro is indicating that he intends to retain new attorneys or whether he is possibly seeking to represent himself. If the latter is true, the Court warns Lazzaro that "[a] defendant must assert his right to self-representation clearly and unequivocally." *United States v. Brown*, 956 F.3d 522, 524 (8th Cir. 2020).